

REMARKS

Claims 1 and 3-16 will be pending upon entry of the present response.

The applicants thank the Examiner for indicating the allowability of claims 14-16, and the allowable subject matter of claims 10-12.

The Examiner has rejected claims 1, 3-9, and 13 under 35 U.S.C. § 102(b) as being unpatentable by Pinchuk et al. (U.S. Patent No. 6,348,769, hereafter Pinchuk).

Claim 1 recites, in part, "if the lamp current is over a predetermined threshold, repeating the steps of igniting the lamp and monitoring the lamp current without repeating the preheating step." In rejecting claim 1, the Examiner states, "Pinchuk discloses ... repeating the steps of igniting the lamp and monitoring the lamp current without preheating the preheating step," citing column 6, line 46, through column 14, line 8. The applicants respectfully traverse this position. Pinchuk fails to teach repeating the steps of igniting the lamp and monitoring the lamp current without repeating the preheating step. Rather, Pinchuk teaches, "protection circuitry 68, coupled to generator 58 and AC-DC converter 64, preferably monitors current flow from generator 58 and causes AC-DC converter 64 to substantially terminate output (thereby turning off fluorescent lamp 20) in the event of excess current draw from generator 58." (Column 9, lines 1-6.)

Referring to Figures 2 and 3a-3d, the timing sequence taught by Pinchuk is shown. "(F)requencies F1, F2, and F3 correspond respectively to pre-heating, ignition, and steady-state phases of lamp 20." (column 9, lines 10-12) In each figure the preheating phase is shown, followed by a smooth transition through the ignition frequency, to the steady-state frequency. Pinchuk offers no teaching or suggestion to return to the ignition phase in the event of a failure to ignite. The figures simply do not show such a feature, and the text is equally silent. Finally, in order to teach all the limitation of claim 1, Pinchuk would have to disclose not only reattempting to ignite the lamp, but repeating of the monitoring step. As explained above, the only monitoring taught results in turning off the lamp in the event of an overcurrent.

Clearly, Pinchuk does not contemplate reattempting to ignite the lamp or repeating the monitoring step, with or without the preheating step, and accordingly fails on several counts to teach the limitations of claim 1.

Nevertheless, the Examiner has cited a sizable block of text from Pinchuk, and the applicants recognize the possibility of having overlooked a crucial passage therein. Accordingly, the applicants request the Examiner to indicate the particular line or passage where Pinchuk teaches repeating the steps of igniting and monitoring the lamp without repeating the preheating step. Absent such a line or passage, applicants believe that claim 1 is allowable over the cited art, together with dependent claims 3-6.

Claim 7 recites, in part, "in response to determining that the lamp has not ignited within the ignition period, re-attempting to ignite the lamp by shifting the drive frequency from the preheat frequency to the operating frequency without setting the drive frequency to the preheat frequency for the preheating period." Pinchuk fails to teach reattempting to ignite the lamp without setting the drive frequency to the preheat frequency for the preheating period, teaching rather detecting an excess current draw from the generator and shutting off the lamp. Accordingly, claim 7, together with dependent claims 8-12, is allowable over the cited art.

Claim 13 recites, in part, "means for determining from a lamp current of the lamp whether the lamp has ignited within a predetermined ignition period; and means for, in response to determining that the lamp has not ignited within the ignition period, re-attempting to ignite the lamp without setting the drive frequency at the preheat frequency for the preheating period." Pinchuk fails to teach this limitation of claim 13, teaching instead, upon detecting an excess current draw from the generator, terminating the output and turning off the fluorescent lamp, as previously cited. Accordingly, Pinchuk fails to teach all the limitations of claim 13, which is thus allowable thereover.

All of the claims remaining in the application are now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited. In the event the Examiner finds minor informalities that can be resolved by telephone conference, the Examiner

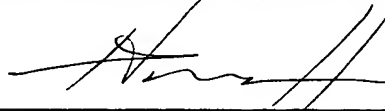
Application No. 10/057,003
Reply to Office Action dated January 29, 2004

is urged to contact the applicants' undersigned representative at (206) 622-4900 in order to expeditiously resolve prosecution of this application.

The Commissioner is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Respectfully submitted,

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